

REMARKS

Claims 1-40 are currently pending. Claims 2 has been amended to correct a typographical error. Claim 37 has been amended to replace the article "a" with the article "the" in two instances given that the semiconductor laser and the laser beam are previously recited therein. These claim changes are not intended to be related to patentability or to narrow the scopes of the affected claim elements. Reconsideration of the above-captioned application is respectfully requested.

At the outset, it is noted that a second Information Disclosure Statement was filed on April 15, 2003 with a PTO-1449 Form listing JP 10-79551. However, an examiner-initialed PTO-1449 Form was not received with the April 23, 2001 Office Action. It is respectfully requested that an examiner-initialed PTO-1449 Form listing JP 10-79551 be returned to Applicants indicating that JP 10-79551 has been considered.

The Office Action includes a rejection of claims 1-3, 13-16, 37, 39 and 40 under 35 U.S.C. § 102(b) as allegedly being anticipated by the Oshima et al. patent (U.S. Patent No. 4,998,256). This rejection is respectfully traversed.

Independent claims 1 recites a wavelength monitor, and independent claims 3 and 37 recite semiconductor laser devices, all of which comprise, *inter alia*, a cylindrical lens configured to allow a laser beam emitted from a semiconductor laser to pass therethrough.

Independent claim 39 recites a method of monitoring the wavelength of a laser beam emitted by a semiconductor laser, comprising, *inter alia*, directing a laser beam through a cylindrical lens. In rejecting claims 1-3, 13-16, 37, 39 and 40, the Office alleges that

feature 35 disclosed in the Oshima et al. patent is a cylindrical lens. However, contrary to

the Office's suggestion, the Oshima et al. patent does not disclose a cylindrical lens. Rather, feature 35 disclosed in the Oshima et al. patent is described only as an "optical lens 35" (see, e.g., column 4, line 27 therein), not as a cylindrical lens. Accordingly, independent claims 1, 3, 37 and 39 are not anticipated by the Oshima et al. patent for at least this reason. Withdrawal of the rejection against claims 1, 3, 37 and 39 is respectfully requested. Claims 2, 13-16, and 40 depend from claims 1, 3 and 39, respectively, and withdrawal of the rejection against these claims is requested at least by virtue of their dependency.

The Office Action also includes a rejection of claims 1-3, 13-18, 37, 39 and 40 under 35 U.S.C. § 102(e) as allegedly being anticipated by the Le Gall et al. publication (U.S. Patent Application Publication No. 2002/0061039 A1). This rejection is respectfully traversed.

As noted above independent claims 1, 3, 37 and 39 all recite, *inter alia*, a cylindrical lens. In rejecting claims 1-3, 13-18, 37, 39 and 40, the Office alleges that feature 8 disclosed in the Le Gall et al. publication is a cylindrical lens. However, contrary to the Office's suggestion, the Le Gall et al. publication does not disclose a cylindrical lens. Rather, feature 8 disclosed in the Le Gall et al. publication is described either as a "collimating lens 8" (see paragraphs 21 and 25 therein) or as a "collimating element 8" (see claims 1, 3 and 5 therein), not as a cylindrical lens. Accordingly, independent claims 1, 3, 37 and 39 are not anticipated by the Le Gall et al. publication for at least this reason. Withdrawal of the rejection against claims 1, 3, 37 and 39 and allowance of the same are respectfully requested. Claims 2, 4-36, 38 and 40 depend from

either claims 1, 3 or 39. Accordingly, withdrawal of the rejection against these claims and allowance of the same are respectfully requested at least by virtue of their dependency.

Use of a cylindrical lens as disclosed in the present application provides for uniaxial convergence of a laser beam wherein the laser beam is converged in one direction but not in another direction (see, e.g., Figure 8 of the present application, which illustrates a uniaxially converged laser beam having an elliptical shape exiting the cylindrical lens 31). As discussed at page 34, line 20 through page 38, line 3 of the present application with reference to Figures 10A-10C and 11A-11C, use of a uniaxially converged laser beam for wavelength monitoring provides an advantage compared to using a circular laser beam, because the uniaxially converged laser beam can be detected more accurately even where shifts of the laser beam occur in either or both the x- and y-directions. Neither the Oshima et al. patent nor the Le Gall et al. publication have any conception of this consideration. Accordingly, one of ordinary skill in the art would not be motivated to use a cylindrical lens in connection with the apparatuses disclosed in either of these references.

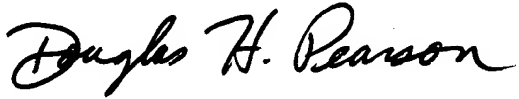
The Office Action also includes, as set forth in paragraphs 6-17, a number of rejections under 35 U.S.C. § 103(a) pertaining to dependent claims 4-12, 19-36 and 38 as allegedly being unpatentable over either the Oshima et al. patent or the Le Gall et al. publication as alternate primary references, in view of specified secondary references (U.S. Patent No. 5,095,476 to Greve et al.; U.S. Patent No. 5,224,084 to Takahashi; U.S. Patent No. 3,951,509 to Noguchi et al.; and U.S. Patent No. 6,272,157 to Broutin et al.). Claims 4-12, 19-36 and 38 depend either directly or indirectly from claim 3. Moreover, as discussed above, claim 3 recites subject matter not disclosed in either the Oshima et al.

patent or the Le Gall et al. publication. The Office's reliance upon the above-noted secondary references does not make up for the above-noted deficiencies of the Oshima et al. patent or the Le Gall et al. publication pertaining to claim 3. Accordingly, claims 4-12, 19-36 and 38 are allowable at least by virtue of dependency. Withdrawal of the rejections and allowance of claims 4-12, 19-36 and 38 are respectfully requested.

In light of the foregoing, withdrawal of the rejections of record are respectfully requested so that the present application may pass to issuance. Should there be any questions in connection with this application, the undersigned respectfully requests that he be contacted at the number given below.

Respectfully submitted,

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Attachment to Amendment

Marked-up Claims 2 and 37

2. (Amended) A wavelength monitor according to claim 1, wherein the wavelength filter is disposed in the optical path between the cylindrical lens and the first [photo detector] photodetector.

37. (Twice Amended) A semiconductor laser device, comprising:
a semiconductor laser configured to emit a laser beam;
a cylindrical lens configured to allow [a] the laser beam emitted from [a] the semiconductor laser to pass therethrough;
detecting means for detecting the laser beam passed through the cylindrical lens;
and
intensity changing means for changing the intensity of a portion of the laser beam depending upon the wavelength of the laser beam, the intensity changing means being disposed in an optical path between the semiconductor laser and the detecting means such that another portion of the laser beam is detected by the detecting means without impinging upon the intensity-changing means.